

Jul 01, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ROBERT G. H.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:18-cv-00229-SMJ

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Before the Court, without oral argument, is Magistrate Judge Dimke's June 14, 2019 Report and Recommendation, ECF No. 16, recommending that summary judgment be granted in Plaintiff's favor. The period for filing objections has passed and no party has objected. After reviewing the Report and Recommendation and relevant authorities, the Court finds that Magistrate Judge Dimke's proposed findings are correct. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, **IT IS HEREBY ORDERED:**

1. The Report and Recommendation, **ECF No. 16**, is **ADOPTED** in its entirety.
2. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is

1 **GRANTED.**

2 **3.** The Commissioner's Motion for Summary Judgment, **ECF No. 14**, is
3 **DENIED.**

4 **4.** The Clerk's Office is directed to enter **JUDGMENT** in favor of
5 Plaintiff **REVERSING AND REMANDING** this matter to the
6 Commissioner for further proceedings consistent with this Order
7 pursuant to sentence four of 42 U.S.C. § 405(g).

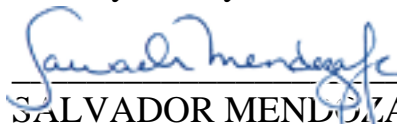
8 **A.** The ALJ shall specifically weigh Dr. Baker's opinion and as
9 needed, allow Plaintiff the opportunity to testify at a new
10 hearing and submit any additional relevant medical evidence;
11 take additional testimony from another medical expert;
12 reconsider the medical and lay witness evidence; and resolve
13 conflicts or ambiguities in the medical record.

14 **5.** All hearings and other deadlines are **STRICKEN**.

15 **6.** The Clerk's office is directed to **CLOSE** this file.

16 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
17 provide copies to all counsel.

18 **DATED** this 1st day of July 2019.

19 
20 SALVADOR MENDEZ, JR.
 United States District Judge